

**Notice of Allowability**

Application No.

09/544,400

Examiner

Thu Thao Havan

Applicant(s)

PACKWOOD, THOMAS R

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/12/04.
2. ☒ The allowed claim(s) is/are 1,7,12,14-17,29,35,40,42-47,56-61 and 63.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☒ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 8/30/05.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

**Detailed Action**

***Drawings***

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because elements in figures 1-4 have to be in a computer printed format. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

***Allowable Subject Matter***

Claims 1, 7, 12, 14-17, 29, 35, 40, 42-47, 56-61, and 63 are allowed.

The following is an examiner's statement of reasons for allowance: The present invention generally discloses risk assessment and management report in relation to risk tolerance levels with displays of visual indicia colors. The prior arts of record include the teaching of Alexandria ("Risk Management and Analysis"), Tran (US patent no. 6,202,060), and May (US patent no. 6,421,653). Alexandria teaches calculation of risks for different types of risks for banks and other financial institutions. On the other hand, Tran teaches a system for creating and updating spreadsheets using remove and wireless means. On the contrary, May teaches color-coding for the advisability of a trade between two entities. However, the prior arts of record fail to teach, singly or in combination, a risk assessment and management reporting comprising of identifying a plurality of financial risk factors affecting a financial operation being managed, the risk

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factors being selected from a group consisting of: late payments received; difference between interest rate on savings and on loans; rate of turnover of employees; days of product in inventory; accounts receivable aging; number of loans in default; gross sales, value of old inventory; value of returns; value of inventory losses; operating costs; net profit; latest compliance regulatory exam rating; quarterly teller over and short count; open audit and regulatory findings over twelve months old; variance of year-to-date budget versus actual operating income; number of branch manager meetings during past twelve months; current internal audit rating; number of branches reporting operating losses; months since last approval of operations policy; loan allowance as percentage of total loans; number of loan officers with portfolios greater than selected amount; asset quality rating; percent of loans to total assets; net interest yield on loan portfolio; number of appraisals not reviewed by in-house reviewer; mortgage loans with expired hazard insurance; percentage of total loans outside lending area of the organization; net interest income as a percent of average assets; return on common equity; legal risk self-assessment; investments as a percent of total assets; and return on assets. Furthermore, the prior arts of record fail to teach or suggest generating a risk management report having one of the visual indicia colors displayed in conjunction with and adjacent each risk factor, the particular visual indicia color being displayed being dependent on which of the at least two ranges of risk level values the actual risk value for the associated risk factor is within, and displaying in the report the actual risk level value for each risk factor in proximity to the risk factor and associated visual indicia color, the risk factors, actual risk level values and visual indicia colors each being in a

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line with the lines being parallel to, and near each other, all risk factors having the same risk tolerance level being accumulated in a separate area of the report for each risk tolerance level.

The examiner agrees with the applicants' arguments presented in the Appeal Brief and has withdrawn the rejection under 35 USC 103 over Alexandria in view of Tran and further in view of May. The prior arts of records taken singly or in combination fail to teach or fairly suggest the claimed invention. Therefore, the examiner favors the allowance of claims 1, 7, 12, 14-17, 29, 35, 40, 42-47, 56-61, and 63.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Thao Havan whose telephone number is (571) 272-8111. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct-uspto.gov/>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

TTH  
8/30/2005

VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

A handwritten signature in black ink, appearing to read "Vincent Millin", is centered on the page.